

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

| | | |
|------------------------|---|---|
| CATALINA DAVIS, |) | |
| Plaintiff |) | |
| |) | |
| v. |) | Civil Action number 05-30122-MAP |
| |) | |
| CARABETTA, |) | |
| Defendant |) | |

MOTION FOR SANCTIONS AND COSTS

NOW comes the Defendant who, pursuant to Fed.R.Civ.P. 37(d) and 37(b)(2), moves this Honorable Court to SANCTION the plaintiff for Failure to Attend Own Deposition by imposing costs and whatever other action the Court deems just and proper.

Plaintiff's failure to appear has resulted in the following costs:

1. Constable and witness fees:

\$150.00
2. Court Reporter Fees:

\$200.00 (no show).
3. Attorney's Fees

To be submitted by way of affidavit.

Respectfully Submitted,

March 10, 2006

s/s Attorney Ralph Carabetta
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